

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
May 5, 2020

This regular meeting of the Ordinance Committee was held Tuesday, May 5, 2020. Chairperson Radeff called the meeting to order at 7:05 PM.

ROLL CALL OF MEMBERS:

Present: Radeff, Cizl, Wtulich, Mayor Bring, Superintendent Hastings, Law Director Graves

Absent: None

Attending: None

MINUTES: February 4, 2020 *Motion by Wtulich/Second by Cizl to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: **None.**

OLD BUSINESS: None.

NEW BUSINESS: Mayor Bring reports I spoke to the Clerk and there are some ordinances that have been overlapping. I told her to start writing them down. We ran into this problem several years ago. Some were done in the 60's and some in the 80's or 90's. I told her if she finds any, bring them to you. Superintendent Hastings states as we come to the conclusion on the public bidding on Irving Park Blvd., there was legislation to authorize the Mayor to enter into bids, advertise, etc. There was reference to the OWDA funding portion of that. However, I think I need more specific language. By ordinance, I will most likely be working with the Law Director on this so the city has the authority through Council's blessing to submit an application. That would account for about half a million. Law Director Graves states we have two proposed ordinances tonight. Council #021 establishing standards and regulations for wireless telecommunication towers in the city of Sheffield Lake. As it stands now, we don't have much of anything as far as regulations. We do have at least one proposal in the works. This would set things like location, makes them a conditional use, encourages them in industrial areas, establishes setbacks, maximum height, etc. Council #022 is an ordinance regulating small cell wireless towers in the public right of way. If you recall, the state tried to eliminate the ability of local governments to regulate small cells. That is where we joined in the lawsuit with many other communities. As a result of that lawsuit, the state legislature rolled a lot of that language back and allowed for some local control. The lawsuit was then dismissed. The language here is the model language that has been recommended and many communities have already adopted. Mayor Bring states they put one up on 301 right by the Ford plant. This is what they are proposing now over by the car wash. So we need something on the books. Superintendent Hastings replies we have three in the city already. One at Lake and Lake Breeze, the Community Center, and

Lakewood Beach. They are independent poles. The problem is they become overwhelming and unsightly. Chairman Radeff asks these are two different types of towers, correct? Law Director Graves replies yes. Council 21 should be considered the general guidelines for any wireless telecommunications tower proposal in the city. This sets a maximum height of 200 ft. Council 22 is really for the small cell towers along the right of way. Chairman Radeff asks when these are built, these aren't specific to one certain company correct? Superintendent Hastings replies, many different companies. Chairman Radeff asks so if one company leaves, another can still use the same tower? Superintendent Hastings replies it's normally a third party involved who is really making the money. Then they market it to Verizon, etc. It is the reason the new fiber optics came into town through Ferndale, Harris, Lakewood Beach. They went right through our watermain putting that in. Ferndale Park is not being positioned as this right as they talk about industrial and city owned property. However, because we have a water tower and because the ordinance references height, in effect, we already have that big water tower. There is an advantage to having a communications tower there because I can get the existing equipment off of the tower onto the new one. Councilman Wtulich asks so, then starting in 2025 we would be able to collect the annual fee? Law Director Graves replies basically this sets an increase in five years. The application fee is \$200 and in 2025 and every five years after, it goes up 10%. So, the annual fee is \$200 beginning August 2025 and every five years thereafter the annual fee shall increase automatically by 10% rounded to the nearest \$5.

*Motion by Wtulich/Second by Cizl to send Council #021 for a FIRST READING ON 5/12/20. Yeas All.

*Motion by Wtulich/Second by Cizl to send Council #022 for a FIRST READING ON 5/12/20. Yeas All.

CITIZEN'S COMMENTARY: None.

ORDINANCE/RESOLUTIONS BEFORE COUNCIL AT THIS TIME:

COUNCIL #019- TABLED- A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SHEFFIELD LAKE, THE CITY OF AVON, THE CITY OF AVON LAKE, THE CITY OF NORTH RIDGEVILLE AND THE VILLAGE OF SHEFFIELD TO ESTABLISH A 700 MHz 5-CITY REGIONAL RADIO SYSTEM AND THE DECLARING OF AN EMERGENCY.

COUNCIL #021 -FIRST READING- AN ORDINANCE ESTABLISHING CHAPTER 1123 OF THE CODIFIED ORDINANCES OF SHEFFIELD LAKE REGARDING WIRELESS TELECOMMUNICATIONS TOWERS AND FACILITIES REGULATIONS AND THE DECLARING OF AN EMERGENCY.

COUNCIL #022- FIRST READING - AN ORDINANCE ESTABLISHING CHAPTER 1125 OF THE CODIFIED ORDINANCES OF SHEFFIELD LAKE REGARDING USE OF PUBLIC RIGHT OF WAY FOR SMALL CELL

**WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES AND
THE DECLARING OF AN EMERGENCY.**

MEETING ADJOURNED: With no further business before this committee,
*Motion by Cizl/Second by Wtulich to adjourn at 7:18 pm. Yeas All.

CLERK OF COMMITTEE AFFIRMATION:

This Meeting of the City Committee of the City of Sheffield Lake, Ohio, was and conducted under all Rules and Regulations Governing the Sunshine Laws of the State of Ohio as they may apply. All meetings are recorded and available in Council's Office.

CLERK OF COUNCIL/COMMITTEES

Brandy Randolph

I, Brandy Randolph, duly appointed Clerk of Committee
Of Sheffield Lake DO HEREBY CERTIFY that this

Is a true and exact copy of the Minutes of the
Ordinance Committee of May 5, 2020.

CHAIRPERSON

Rocky Radeff

COUNCIL PRESIDENT

Rick Rosso